

# State of South Dakota

## EIGHTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 2009

916Q0513

### SENATE JOINT RESOLUTION NO. 1

Introduced by: Senators Heidepriem, Abdallah, and Hanson (Gary) and Representatives Engels, Blake, Fargen, Feinstein, Hunhoff (Bernie), Nygaard, and Vanderlinde

1 A JOINT RESOLUTION, To propose a constitutional amendment to authorize the Legislature  
2 on the advice of the Governor, to forestall certain threats from interstate gaming.

3 BE IT RESOLVED BY THE SENATE OF THE STATE OF SOUTH DAKOTA, THE HOUSE  
4 OF REPRESENTATIVES CONCURRING THEREIN:

5 Section 1. That at the next general election held in the state, the following amendment to  
6 Article III of the Constitution of the State of South Dakota, as set forth in section 2 of this Joint  
7 Resolution, which is hereby agreed to, shall be submitted to the electors of the state for  
8 approval.

9 Section 2. That Article III of the Constitution of the State of South Dakota, be amended by  
10 adding a NEW SECTION to read as follows:

11 § 33. The Legislature may, notwithstanding the provisions of Article III, section 25,  
12 authorize any game of chance, lottery, or gift enterprise if it is reasonably necessary to prevent  
13 the initiation or curtail the operation of some form of legal gaming in a bordering state that will  
14 constitute a serious impediment to the economic prosperity or social well-being of the citizenry



1 of any significant portion of the State of South Dakota.

2 Before the Legislature may exercise its statutory authority pursuant to this section, the  
3 Governor must find, and declare in writing to the presiding officers of the Legislature and the  
4 secretary of state, that such a situation either currently exists or is imminently threatened and  
5 that prompt action by the Legislature, in regular or special session, is appropriate under the  
6 circumstances.